

Responses to Comment Set 33

- 33-1 The CSLC's involvement in the Peyton Slough Remediation and Restoration Project has influenced the analysis of the Proposed Project (see mitigation measures in Sections D.4 [Biological Resources], D.6 [Environmental Contamination and Hazardous Materials], and D.8 [Hydrology and Water Resources]) and alternative routings (Existing Pipeline ROW Alternative). The Final EIR will enable the CSLC's consideration of the Proposed Project or the routing favored by the Regional Water Quality Control Board.
- 33-2 Figure B-6 has been modified to reflect the current proposed realignment of Peyton Slough. The analyses within the Draft EIR are based on information contained in the Peyton Slough Remediation and Restoration Project. The applicable wetlands jurisdictional delineation map (2240-W-502) from Appendix 1E of the Draft EIR has also been revised. The revised figures are included in Section 4 of this Final EIR. See links on [contents page](#).
- 33-3 Concurrent construction of the proposed pipeline and the Peyton Slough Remediation and Restoration Project is expected to be feasible assuming (a) implementation of recommended mitigation measures, particularly those in the Environmental Contamination and Hazardous Materials section (Section D.6 of the Draft EIR), and (b) appropriate pre-construction coordination between SFPP, Rhodia, and involved agencies such as the RWQCB and the CSLC. Mitigation Measure EC-1b (High Potential Impact Sites) has been modified to require SFPP's coordination with these parties during final project design and prior to construction (see Section 4 under changes to Section D.6, page D.6-9).

We provide the following in response to each subsection of this comment:

- a) See Response to Comment 33-2 above.
- b) With respect to the HDD bore pit locations on the proposed route, SFPP states that the drill entry work space cannot be moved further west because it would be located on Rhodia's retention pond. Any movement of the exit point more than 25 feet to the east is not feasible because it would result in inadequate laydown space for the pipe string. The strip maps referenced in this comment are preliminary route maps and show "typical" HDD the work areas. The HDD work areas can be adjusted somewhat during construction to match field conditions and minimize disruption to sensitive habitats. As noted above, Mitigation Measure EC-1b has been modified to require SFPP's coordination with these parties during final project design and prior to construction (see Section 4 under changes to Section D.6, page D.6-9).
- c) The potential impact of a "frac-out" is addressed in Section D.8.3.3 under Impact HS-3. Mitigation Measure HS-3a (Response to Unanticipated Release of Drilling Fluids) provides specific protection for prevention of and response to frac-outs (see Section 4, changes to page D.8-15).
- d) SFPP states that the workspace dimensions can be modified to less than uniform shapes in order to minimize grading and to avoid obstacles. At the location shown on Zinc Hill, the HDD workspace can be adjusted as part of final design to match the topography so minimal grading will be required to establish a safe, flat working area of adequate space. Mitigation Measure EC-1b has been modified to require SFPP's coordination with these parties during final project design and prior to construction (see Section 4 under changes to Section D.6, page D.6-9).

- e) Mitigation Measure EC-1b has been modified to require SFPP's coordination with Peyton Slough project participants during final project design and prior to construction, allowing designation of appropriate access roads (see Section 4 under changes to Section D.6, page D.6-9). Impact T-2: Construction Restricting Property Access and Mitigation Measure T-2a (Minimize Access Concerns) have been modified to specifically require coordination regarding other ongoing construction projects (see Section 4, under changes to Section D.12 on pages D.12-11 and D.12-16). The language in the Segment 1 impact discussion has also been modified to acknowledge the revised mitigation measure (see Section 4, under changes to Section D.12 on page D.12-11).
 - f) The only equipment used during the HDD that requires electric power is the "mud tank cleaning system" which will be served onsite by a diesel-powered G260KW generator.
- 33-4 According to SFPP, telemetry for each MOV site will be provided by a dedicated phone line brought to the site from the nearest available source. If a phone line cannot be provided, communications will need to be provided by satellite. As part of final design, SFPP will coordinate with the local phone company to determine how best to serve each MOV site.
- 33-5 (1) The EIR acknowledges the potential for encountering contaminated soils or groundwater in Draft EIR Section D.6.3.3 under Impact EC-1 (Contaminated Sites Along ROW) and specifically in Section D.6.3.6, Segment 1 (page D.6-13) where the Peyton Slough and Rhodia facility are addressed.
- (2) See Response to Comment 14-31 regarding construction in areas with low pH and measures to prevent corrosion.
- (3) The EIR has not specifically analyzed the impacts of breaching the caps over the cinder bodies. However, Mitigation Measures EC-1a (Medium Potential Impact Sites), EC-1b (High Potential Impact Sites), and EC-1c (Unknown Soil or Groundwater Contamination) in the Draft EIR Section D.6.3.3 (starting on page D.6-7) present procedures for safely constructing through areas with hazardous materials. Note that, as defined in Response to Comment 33-3, Mitigation Measure EC-1b has been modified to require that SFPP coordinate with Rhodia and involved agencies prior to final project design in the Peyton Slough Project area.
- 33-6 The potential for the pipeline itself to act as a pathway for migration of contaminants has been added to the discussion of Impact EC-1: Contaminated Sites Along the ROW (Draft EIR page D.6-8) and is shown in Section 4 of this Final EIR under changes to Section D.6, page D.6-8. Also in Section 4 of this Final EIR (under changes to Section D.6), Mitigation Measure EC-1b has been revised to specifically require consideration of the potential for contaminant migration along the pipeline, and to use impermeable backfill if such contaminant migration is considered possible.
- 33-7 A more detailed discussion of the history and existing contamination at the Rhodia site has been added to Section D.6.1.2 under Segment 1 (see Section 4 under changes to Section D.6, page D.6-1).
- As stated in Draft EIR Section D.6.3.6, under Segment 1, the Rhodia site was not included on the database provided to CSLC by SFPP, so it was not originally presented in Table D.6-1. However, text on Draft EIR page D.6-13 specified that the site should be considered as having "high potential to impact the project." Therefore, Mitigation Measure EC-1b (High Potential Impact Sites) would apply to construction through this area. The Rhodia site has been added to Table

D.6-1 to clarify that it is considered to be a high potential site and that Mitigation Measure EC-1b is applicable (see Section 4, changes to page D.6-14).

- 33-8 The depth of each crossing has not been defined at this time. Mitigation Measure EC-1b, as modified (see Response to Comment 33-3) would require SFPP to coordinate with Rhodia and involved agencies so no future conflict with planned restoration activities would occur. Also, Mitigation Measure HS-4a (Adequate Pipeline Burial and Protection) (Section D.8.3.4, Hydrology and Water Quality, page D.8-18) presents specific requirements for depth of pipeline burial below waterways. This measure would be implemented to ensure that burial depth would be adequate to protect the pipeline from stream or tidal scour. Please refer also to Responses to Comments 35-13 and 35-14.
- 33-9 The Peyton Slough project has been added to Table E-1 (see Section 4 changes to page E-3), and potential cumulative impacts have been considered in the issue areas of biological resources (see Section 4 under changes to Section D.4.3.8 page D.4-82) and environmental contamination (see Section 4 under changes to Section D.6.3.8 page D.6-21).
- 33-10 The identified pipeline connections will not be areas of specific pipeline weakness if the pipeline and associated fittings are properly designed. Note that under Impact S-2.5: Design Flaw (Draft EIR page D.2-41), the CSLC will conduct an independent design review of SFPP's proposed design.
- The Draft EIR in Section D.2.3.7 (Pipeline Safety and Risk of Accidents, Spill Scenarios) presented estimated pipeline accident scenarios for four locations along the proposed pipeline route. One location, Scenario 1 (Draft EIR page D.2-45) defines an accident on the south shore of the Carquinez Strait, just west of Peyton Slough. The spill scenarios were used in each issue area to evaluate the potential significance of a pipeline accident to other resources. Biological Resources Section D.4.3.4, Impacts of Pipeline Accidents (pages D.4-60 to D.4-67), uses this data and other information in Section D.2 to determine that a large pipeline accident would result in a significant impact to biological resources.
- 33-11 SFPP states that a 100-foot construction right-of-way would typically be used for rural construction (Draft EIR, Section B.4.4, page B-29). This distance would apply to the Proposed Project and alternatives thereto.
- 33-12 The EIR comment letter from Rhodia Inc. (Comment Set 14, page 27 of 30, first paragraph, July 22, 2003) states that "Due to permitting issues, the Peyton Slough Remediation and Restoration Project schedule is not known at this time." As a result, it is difficult to presently reconcile the schedules for these projects, although every attempt is being made to do so.
- 33-13 Draft EIR Table B-3 (page B-11) lists all water crossings along the proposed route and defines the type of crossing methodology that SFPP would use. Figures B-10 through B-16 provide schematic diagrams illustrating the various water crossing methodologies. Please also refer to Response to Comment 33-8 regarding required definition of detailed design and coordination that would be required for the Peyton Slough area. See also Responses to Comments 28-1, 35-13, and 35-14.
- 33-14 The Draft EIR considers impacts of traffic/transportation/roads (Section D.12), noise (Section D.10), and air emissions (Section D.3) for the entirety of the Proposed Project and its alternatives. Corresponding mitigation measures in these sections will be applicable to all portions of the project.

- 33-15 Mitigation Measure BB-5a (Wetland Avoidance and Restoration) in Section D.4.3.3 of the Draft EIR, which addresses impacts from construction in wetlands, has been revised (see Section 4, under changes to Section D.4.3.3, page D.4-43) and would be applicable to Phase 1 only.
- 33-16 The RWQCB has been added as a responsible agency in Table F-7 for relevant mitigation measures (see Section 4, changes to Section F).
- 33-17 The commenter's concerns about the Phase 2 Carquinez Strait crossing are noted, and responses to each issue in this comment are presented below. Phase 2 is not part of the project evaluated in this EIR, and therefore alternatives to this future project are not evaluated at this time. As explained in Section B.3.2, the design, location, and timing of Phase 2 is speculative at this time. Therefore, Phase 2 is evaluated in this EIR only in very general terms, but a separate CEQA document will be prepared when and if that action is proposed by SFPP. At that time, alternatives will be developed and thoroughly analyzed. Please refer also to the first part of Response to Comment 14-3.
- a) The EIR considers alternatives in compliance with CEQA. The Existing Pipeline ROW Alternative, which is fully evaluated in the Draft EIR, would include use of the ROW for the existing 14-inch pipeline through and to the west of the Rhodia property. The Draft EIR did not specifically consider use of only a segment of that alternative through this area, but as explained in Response to Comment 14-1, the CSLC may adopt any route that has been evaluated in the EIR, including a combination of the proposed route and the existing pipeline route. Again, please also refer to Response to Comment 14-3.
- b) The RWQCB's opposition to the Phase 2 route illustrated in Figure B-6 is noted. When and if SFPP proposes to proceed with Phase 2, alternative routes will need to be considered in compliance with the California Environmental Quality Act.
- c) The EIR acknowledges the potential impacts to wetlands and special status plant species that could result from the Proposed Project in Draft EIR Section D.4.3.6, under Segment 1, Contra Costa County and Carquinez Strait (Draft EIR page D.4-70) and in the speculative Phase 2 (Draft EIR page D.7-72) and provides relevant mitigation. We acknowledge the position of RWQCB staff in this regard.
- d) and e) The specific concerns defined in this comment about the integrity of the cap and dredge spoil piles would need to be addressed in the CEQA document that evaluates the Phase 2 project, when and if it is proposed by SFPP. Please refer also to the first part of Response to Comment 14-3.
- f), g), h) The Final EIR includes revisions to clarify that the length of the Phase 2 HDD would be approximately 6,800 feet (see Section 4, changes to page B-9, and Response to Comment 37-5). The 6,925-foot width of the Carquinez Strait is the width of the crossing of the existing 14-inch pipeline, which is the crossing that is part of the Proposed Project. The Strait is slightly narrower at the location identified in Figure B-6, and an estimated 6,200 foot laydown area was considered adequate. Regardless, the crossing width and construction parameters (i.e., work areas and access roads) will have to be clearly defined by SFPP when and if it submits an application to proceed with the Phase 2 crossing.
- i) The potential for frac-out to occur during the Phase 2 HDD crossing of the Strait is identified in the Draft EIR Section D.4.3.6, under Segment 1, Marine Biology, Carquinez Strait Crossing,

Phase 2 (DEIR page D.4-75, last paragraph). This issue would need to be fully explored in the CEQA document evaluating a proposed Phase 2 crossing of the Carquinez Strait.

j) Please see response to item a) above and Response to Comment 14-3.

33-18 Thank you for the name and address of the RWQCB staff member that should receive all future CEQA documents for the Proposed Project.